

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: Peter F. Rotondo, Jr.	:	Bankruptcy No. 18-24020
	:	
Debtor(s)	:	
	:	Chapter 13
	:	
Peter F. Rotondo, Jr.	:	
	:	
Movant	:	
v.	:	
	:	
Win Plus Management LLC, Estate of Peter F.	:	
Rotondo, Sr., Shaler Township, Shaler Area	:	
School District, County of Allegheny,	:	
Allegheny County Sanitary Authority,	:	
Hampton Shaler Water Authority and	:	
Ronda J. Winnecour, Trustee,	:	
	:	
Respondents	:	

MOTION TO SELL REAL ESTATE FREE AND CLEAR OF LIENS

AND NOW, comes the Debtor, Peter F. Rotondo Jr., by and through his attorney, Jason R.

Johns, and respectfully represents as follows:

1. This is an action arising under or related to a case under Title 11, U.S.C. § 101, et seq..
2. Jurisdiction of the Court is based on 28 U.S.C. § 171(a), (b) and (c). Venue is based on 28 U.S.C. § 1473(a).
3. Peter F. Rotondo, Jr., is the Debtor in the above-captioned proceeding and is the Movant in this Motion.
4. Among the Debtor's assets is an interest in a parcel of real estate situated in Allegheny County, Pennsylvania known as 1934 Wood Place, Glenshaw PA 15116 with Parcel ID: 0433-M-00260 (hereinafter the "Real Estate").
5. The respondent, the Estate of Peter F. Rotondo, Sr., also has an interest in the Real Estate and jointly owns the Real Estate with the Debtor pursuant to a deed filed in Allegheny County Recorder of Deeds Office at Deed Book Volume 14258, Page 326. Peter F. Rotondo, Sr., passed away on May 18, 2020. Letters of Testamentary were granted to Debtor by the Allegheny County Register of Wills on

August 12, 2020 at File Number 022003792. A copy of the Letters of Testamentary is attached hereto and labeled “Exhibit A”.

6. The respondents, Shaler Township, Shaler Area School District and County of Allegheny (hereinafter “Taxing Authorities”) represent any unpaid real estate taxes assessed against the Real Property. Amounts owed to the Taxing Authorities will be determined, pro-rated for current tax periods and paid at the closing on the sale of the Real Property.

7. The respondents, Allegheny County Sanitary Authority, and Hampton Shaler Water Authority (hereinafter “Municipal Authorities”) represent any unpaid municipal water and sewage liens against the Real Property. Amounts owed to the Municipal Authorities will be determined and paid at the closing on the sale of the Real Property.

8. On March 19, 2021, an Order was entered approving the employment of Michael Bello and Buy-N-Sell Real Estate to list and attempt to sell the Real Estate.

9. The Real Estate consists of a lot area of approximately 16,955 square feet with a single family home and was marketed as such with a list price of \$129,900.00.

10. To the best of Debtor’s knowledge, the Real Estate is not encumbered by any liens.

11. The Debtor and Respondent, the Estate of Peter F. Rotondo, Sr., have entered into a Standard Agreement for Sale of Real Estate with Respondent Win Plus Management LLC (“Buyer”) wherein the Buyer has agreed to purchase the afore-described Real Estate.

12. The total purchase price for the Real Estate is \$156,000.00.

13. A copy of the Standard Agreement for Sale of Real Estate is attached hereto and labeled “Exhibit B”.

14. No relationship exists between the Buyer and the Debtor and the Debtor avers that this is an arms-length transaction.

15. Debtor’s counsel is seeking \$2,400.00 in fees and expense reimbursement for work done related to sale approval.

16. Attached hereto and labeled Exhibit “C”, please find a breakdown of Debtor’s counsel’s

hours and fees related to sale approval.

17. In the event that any proceeds will remain after payment of liens (to the extent possible), legal fees, closing costs, and other normal and necessary costs of sale, the balance shall be remitted to the Chapter 13 Trustee.

18. The Debtor is requesting that he may be authorized to consummate the sale to the Buyer or to such other person as may make a higher offer at the hearing thereon.

WHEREFORE, the Debtor, Peter F. Rotondo, Jr., respectfully requests an Order of Court authorizing the sale of the property.

Respectfully submitted,

Dated: 04/02/2021

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